



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

**VINCENT EUGENE WILLIAMS,**

Plaintiff,

v.

Civil Action No. **3:08CV803**

**DR. LEE, *et al.*,**

Defendants.

**MEMORANDUM OPINION**

By Memorandum Order entered on December 23, 2008, the Court conditionally docketed Plaintiff's action. The Clerk sent a copy of the Memorandum Order to Plaintiff. On January 7, 2009, the December 23, 2008 Memorandum Order was returned to the Court by the United States Postal Service. The envelope was marked, "RETURN TO SENDER" and "NO LONGER IN FACILITY." Therefore, by Memorandum Opinion and Order entered on January 16, 2009, the Court dismissed the action without prejudice. On January 23, 2009, the Court received from Plaintiff a motion to reconsider wherein he indicates that he was temporarily transferred to a different facility without prior notice and requests that the Court reinstate the present action. By Memorandum Opinion and Order entered on February 10, 2009, the Court granted Plaintiff's motion to reconsider and vacated the January 16, 2009 Memorandum Opinion and Order.

On March 3, 2009, the February 10, 2009 Memorandum Opinion and Order was returned to the Court by the United States Postal Service. The envelope was marked, "NOT HERE" and "RETURN TO SENDER." Plaintiff's repeated failure to keep the Court apprised of his current address indicates his lack of interest in diligently prosecuting the present action. *See Fed. R. Civ. P. 41(b)*. Accordingly, the action will be DISMISSED WITHOUT PREJUDICE.

An appropriate Order shall issue.

**MAR 17 2009**  
Date: \_\_\_\_\_  
Richmond, Virginia

/s/  
**Richard L. Williams**  
**United States District Judge**